



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/774,477

02/10/2004

Hisashi Kato

00862.100189.

8932

5514

7590

05/15/2008

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

RODRIGUEZ, LENNIN R

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

05/15/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/774,477	Applicant(s) KATO, HISASHI	
	Examiner LENNIN R. RODRIGUEZ	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5 and 10-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5 and 10-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on 1/22/2008 have been fully considered but they are not persuasive. Applicant's argument regarding "the applied art is not seen to disclose or suggest the features of the present invention, and in particular is not seen to disclose or suggest at least the feature of selecting pieces of a first page of print data and a second page of print data for printing on the front side and back side of a medium, respectively, wherein a position of the selected piece of the first page is different from a position of the selected piece of the second page" has been fully considered, in response "Nishikawa '411 discloses all the subject matter as described above except a selecting unit for selecting one piece from the predetermined number of pieces obtained by dividing the first page of print data and selecting one piece from the predetermined number of pieces obtained by dividing the second page of print data, when the poster printing and the double-sided printing are included in the printing attributes.

However, Endo '227 teaches a selecting unit for selecting one piece from the predetermined number of pieces obtained by dividing the first page of print data (column 3, lines 8-12, where the image it is being selected from the images stored in memory) and selecting one piece from the predetermined number of pieces obtained by dividing the second page of print data (column 3, lines 8-12, where the image it is being selected from the images stored in memory and it is assumed that if can do this with one image it can do it with another or multiples images), when the poster printing (column 1, lines 49-

Art Unit: 2625

54, where a poster option can be selected in Nishikawa '411) and the double-sided printing are included in the printing attributes (columns 17-18, lines 66-67 and 1-11 respectively).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a selecting unit for selecting one piece from the predetermined number of pieces obtained by dividing the first page of print data and selecting one piece from the predetermined number of pieces obtained by dividing the second page of print data, when the poster printing and the double-sided printing are included in the printing attributes as taught by Endo '227 in the system of Nishikawa '411. With this the system will be able to print two consecutives images in a single sheet of paper, thus making the system environment friendly and cost effective by saving resources such as paper" where the image data stored in memory can reasonably be the divided pages taught by Nishikawa (US 6,507,411).

2. Drawings objections have been withdrawn in view of the submitted amendment.
3. Specification objections have been withdrawn in view of the submitted amendment.
4. Claim objection has been withdrawn in view of the submitted amendment.
5. Rejection under 35 U.S.C. 101 has been withdrawn in view of the submitted amendment.

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1-3, 5, and 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishikawa et al. (US 6,507,411) in view of Endo et al. (US 5,987,227).

(1) regarding claim claims 1, and 10-12:

Nishikawa '411 discloses a printing control apparatus (column 1, lines 7-10) comprising:

a setting unit for setting printing attributes including poster printing to divide a page of print data into a predetermined number of pieces so that resultant data is printed over a plurality of media (column 1, lines 49-54, where a poster option can be selected and column 9, lines 22-34) and double-sided printing to print a first page and a second page of print data on both sides of a medium (column 9, lines 6-8);

a dividing unit for dividing each of the first page and the second page of print data into the predetermined number of pieces when the poster printing is included in the printing attributes (column 9, lines 24-28, where it is assumed that if it can divide one image it can do the same with another or even multiple images);

wherein a position of the selected piece of the first page is different from a position of the selected piece of the second page (column 16, lines 14-21, where the user can specify which way to print the divided images, this including double-side printing).

Nishikawa '411 discloses all the subject matter as described above except a selecting unit for selecting one piece from the predetermined number of pieces obtained by dividing the first page of print data and selecting one piece from the predetermined number of pieces obtained by dividing the second page of print data, when the poster printing and the double-sided printing are included in the printing attributes; and

a generating unit for generating print data such that the selected piece of the first page of print data and the selected piece of the second page of print data are printed on a front side and a back side of a medium, respectively.

However, Endo '227 teaches a selecting unit for selecting one piece from the predetermined number of pieces obtained by dividing the first page of print data (column 3, lines 8-12, where the image it is being selected from the images stored in memory) and selecting one piece from the predetermined number of pieces obtained by dividing the second page of print data (column 3, lines 8-12, where the image it is being selected from the images stored in memory and it is assumed that if can do this with one image it can do it with another or multiples images), when the poster printing (column 1, lines 49-54, where a poster option can be selected in Nishikawa '411) and the double-sided printing are included in the printing attributes (columns 17-18, lines 66-67 and 1-11 respectively); and

a generating unit for generating print data such that the selected piece of the first page of print data and the selected piece of the second page of print data are printed on a front side and a back side of a medium, respectively (columns 17-18, lines 66-67 and

1-11 respectively, where in a double sided function two images have to be put opposite to each other as the definition and functionality of double sided printing states).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a selecting unit for selecting one piece from the predetermined number of pieces obtained by dividing the first page of print data and selecting one piece from the predetermined number of pieces obtained by dividing the second page of print data, when the poster printing and the double-sided printing are included in the printing attributes, and a generating unit for generating print data such that the selected piece of the first page of print data and the selected piece of the second page of print data are printed on a front side and a back side of a medium, respectively as taught by Endo '227 in the system of Nishikawa '411. With this the system will be able to print two consecutive images in a single sheet of paper, thus making the system environment friendly and cost effective by saving resources such as paper.

A computer program and a computer readable medium storing a computer program could be easily found in Nishikawa '411 column 15, lines 56-59.

(2) regarding claims 2 and 13:

Nishikawa '411 discloses all the subject matter as described above except a designating unit for designating a selection mode for the second page of print data, wherein the selecting unit selects the one piece of the second page of print data corresponding to the one piece of the first page of print data, in accordance with the selection mode designated by the designating unit.

However, Endo '227 teaches a designating unit for designating a selection mode for the second page of print data (column 3, lines 8-12 and columns 17-18, lines 66-67 and 1-11 respectively, where by selecting the double-sided printing option, the option itself selects a second page of print data as the definition of the term double sided printing itself states), wherein the selecting unit selects the one piece of the second page of print data corresponding to the one piece of the first page of print data, in accordance with the selection mode designated by the designating unit (columns 17-18, lines 66-67 and 1-11 respectively, where by selecting the double-sided printing option, the option itself selects a second page of print data that follows the first page of print data as the definition of double sided printing itself states).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a designating unit for designating a selection mode for the second page of print data, wherein the selecting unit selects the one piece of the second page of print data corresponding to the one piece of the first page of print data, in accordance with the selection mode designated by the designating unit as taught by Endo '227 in the system of Nishikawa '411. With this the system will be able to print two consecutives images in a single sheet of paper, thus making the system environment friendly and cost effective by saving resources such as paper.

(3) regarding claims 3 and 14:

Nishikawa '411 further discloses wherein the designating unit designates the selecting mode so that output orders for the front and back sides are laterally reverse to

each other (column 16, lines 14-21, where the user can specify which way to print the divided images).

(4) regarding claims 5 and 15:

Nishikawa '411 further discloses wherein the dividing unit divides the first page of print data into the predetermined number of pieces of print data equivalent to the number of the plurality of media (column 9, lines 24-28), and the dividing unit divides the second page of print data into the predetermined number of pieces of print data equivalent to the number of the plurality of media (column 9, lines 24-28, where it is assumed that if it can divide one image it can do the same with another or even multiple images).

Double Patenting

8. Applicant is advised that should claim 10 be found allowable, claim 11 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

Art Unit: 2625

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LENNIN R. RODRIGUEZ whose telephone number is (571)270-1678. The examiner can normally be reached on Monday - Thursday 7:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/
Supervisory Patent Examiner, Art Unit 2625

/Lennin R Rodriguez/
Examiner, Art Unit 2625